

FORM TO BE USED BY A PRISONER IN FILING A CIVIL RIGHTS COMPLAINT

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

(1) Jamie Setzer mu-5784 :
 (Name of Plaintiff) (Inmate Number) :
SCI-Camp Hill Box-8837 :
2500 Lisburn Rd, Camp Hill, Pa. :
 (Address) 17001 :

(2) _____ :
 (Name of Plaintiff) (Inmate Number) :
 _____ :
 (Address) _____ :

(Each named party must be numbered,
and all names must be printed or typed)

vs.

CIVIL COMPLAINT

(1) John Wetzel - Secretary of Corrections :
 (2) _____ :
 (3) _____ :
 (Names of Defendants) _____ :

(Each named party must be numbered,
and all names must be printed or typed)

FILED
SCRANTON

OCT 16 2019

PER Amo
DEPUTY CLERK

TO BE FILED UNDER: ☒ 42 U.S.C. § 1983 - STATE OFFICIALS
☐ 28 U.S.C. § 1331 - FEDERAL OFFICIALS

I. PREVIOUS LAWSUITS

- A. If you have filed any other lawsuits in federal court while a prisoner, please list the caption and case number including year, as well as the name of the judicial officer to whom it was assigned:

In the late 1990's I Filed a 1983 Fed. lawsuit against the
Pa. Prison system (Houtzdale St. Prison) for seizing a book
I was writing under false pretenses. (For violating my free-
dom of speech/press.) This case was dismissed.

II. EXHAUSTION OF ADMINISTRATIVE REMEDIES

In order to proceed in federal court, you must fully exhaust any available administrative remedies as to each ground on which you request action.

- A. Is there a prisoner grievance procedure available at your present institution? ☒ Yes ☐ No
- B. Have you fully exhausted your available administrative remedies regarding each of your present claims? ☒ Yes ☐ No
- C. If your answer to "B" is Yes:
1. What steps did you take? discussed the ^{2nd-hand} tobacco abuse with nurses, guards, counselors, + then filed 3 grievances all to no avail.
 2. What was the result? Prison officials insisted that there was no tobacco problem within the prisons due to the fact that smoking was forbidden inside. (not enforced.)
- D. If your answer to "B" is No, explain why not: _____

III. DEFENDANTS

- (1) Name of first defendant: John Wetzel
- Employed as Secretary of Corrections at _____
- Mailing address: Pennsylvania Dept. of Corrections, 1920 Technology Parkway, Mechanicsburg, Pa. 17050
- (2) Name of second defendant: _____
- Employed as _____ at _____
- Mailing address: _____
- (3) Name of third defendant: _____
- Employed as _____ at _____
- Mailing address: _____

(List any additional defendants, their employment, and addresses on extra sheets if necessary)

IV. STATEMENT OF CLAIM

(State here as briefly as possible the facts of your case. Describe how each defendant is involved, including dates and places. Do not give any legal arguments or cite any cases or statutes. Attach no more than three extra sheets if necessary.)

1. I AM filing this lawsuit against the Pennsylvania State Prison system because those in charge have repeatedly ignored my constitutional rights (8th: cruel and 'usual' + 14th: unequal protection of the law/Amendments) in regards to forcing me to live in confines with second-hand tobacco smoke.
- I brought this situation to the attention of medical staff, guards, counselor, unit manager, warden,

- and followed through with the 3 grievance procedure to the prison system's central command in Mechanicsburg, Pa. to be repeatedly told that smoking was not permitted inside housing units
2. _____
and given the official runaround. This abuse of power was ongoing from January 2017, until _____
July 2019 when tobacco was finally banned from all Pa. State Prisons. This tobacco abuse of power _____
was taking place when I last passed through the Pa. State Prison System from 1996 to 2000, and my _____
health concerns were ignored then as well. In fact this tobacco beast of ignorance is as old as _____
the Pa. Prison System. I only name one defendant (John Wetzel - Secretary of Corrections) because _____
3. he is responsible for the actions and poor leadership that permitted tobacco to threaten my health. _____
Rather than be burdened with naming numerous defendants, it's only necessary to expose the head _____
to prove my case. I have amassed a large papertrail that proves deliberate indifference regarding _____
second-hand smoke perpetrated by the entire Pa. Prison System. Proof that I was telling the _____
truth about this abuse of tobacco power is the fact that tobacco was finally banned in July 2019, _____
with 'all deliberate speed'. I have been the state of Pennsylvania's human air filter long enough!

V. RELIEF

(State briefly exactly what you want the court to do for you. Make no legal arguments. Cite no cases or statutes.)

1. I Am seeking \$7 million dollars in compensation against the PA. Prison System for exposing me _____
for years even though they knew how harmful tobacco was/~~is~~. They displayed a total disregard to my _____
health and well being. These people in positions of power have failed to lead by example. _____
As evidence that these people do not understand how sickening tobacco is, is the fact that they are _____
still in the bad habit of selling E-Cigarettes to their captive audience. Nicotine is bad news and _____
it's painfully obvious. Due to this fact, I ask that the Federal Government rid this corrupt system _____
of tobacco once for all. I only hope that \$7 million is enough of a penalty to convince the state _____
2. of Pennsylvania of the error of its ways. If judge and jury could witness the state sponsored abuse _____
of tobacco power that I AM living proof of, they would rule in my favor beyond a Deadly Nightshade of _____
doubt. I pray to God that my undue long-suffering is compensated and rewarded. I would use the ill- _____
gotten gains of this tobacco settlement to make straight the path of the Lord. As God is my witness. _____

JAMIE SEIZER

3. _____

I declare under penalty of perjury that the foregoing is true and correct.

Signed this October^{4th} ~~October~~ day of October, 20 19.

Jamie Seizer
(Signature of Plaintiff)

Jamie Setzer MW-5784
Box- 8837
2500 Lisburn Rd.
SCI- Camp Hill, Pa.
17001

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